

TITLE 38: FINANCIAL INSTITUTIONS
CHAPTER I: DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

PART 217
MOTOR VEHICLE RETAIL INSTALLMENT SALES ACT

Section
217.100 Rate Cap Disclosure Notices

217.APPENDIX A Disclosure of 36% Rate Cap

AUTHORITY: Implementing and authorized by Section 26.1 of the Motor Vehicle Retail Installment Sales Act [815 ILCS 375] and the Predatory Loan Prevention Act [815 ILCS 123]

SOURCE: Adopted at 46 Ill. Reg. _____, effective _____.

Section 217.100 Rate Cap Disclosure Notices

All applications for a retail installment contract must include a separate disclosure signed by the consumer that states: "A retailer shall not contract for or receive charges exceeding a 36% annual percentage rate on the unpaid balance of the amount financed for a retail installment contract, as calculated under the Illinois Predatory Loan Prevention Act (PLPA APR). Any retail installment contract with a PLPA APR over 36% is null and void, such that no person or entity shall have any right to collect, attempt to collect, receive, or retain any principal, fee, interest, or charges related to the retail installment contract. The annual percentage rate disclosed in any retail installment contract may be lower than the PLPA APR." This disclosure shall be clear and conspicuous, and shall be substantially similar to the form in Appendix A. A retailer shall provide all disclosures required by this section in English and in the same language as the retail installment contract agreement.

Section 217.APPENDIX A Disclosure of 36% Rate Cap

DISCLOSURE OF 36% RATE CAP

A retailer shall not contract for or receive charges exceeding a 36% annual percentage rate on the unpaid balance of the amount financed for a retail installment contract, as calculated under the Illinois Predatory Loan Prevention Act (PLPA APR)

Any retail installment contract with a PLPA APR over 36% is null and void, such that no person or entity shall have any right to collect, attempt to collect, receive, or retain any principal, fee, interest, or charges related to the retail installment contract.

The annual percentage rate disclosed in any retail installment contract may be lower than the PLPA APR.

Applicant Signature

Co-Applicant Signature (If Applicable)